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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/688,143	10/16/2003	Billy J. Castleberry	7405	9222

  

7590	03/27/2007	EXAMINER
Paul M. Denk 763 S. New Ballas Road St. Louis, MO 63141		BEAUCHAINE, MARK J

  

ART UNIT	PAPER NUMBER
3653	

  

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/27/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/688,143	<b>Applicant(s)</b> CASTLEBERRY, BILLY J.	
	<b>Examiner</b> Mark J. Beauchaine	<b>Art Unit</b> 3653	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 26 December 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,3,4,6-18,20 and 21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3,4,6-18,20 and 21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 3, 4 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Patent Number 3,147,838 by Mueller et al ("Mueller") in view of Japanese Patent Application Publication Number JP-2002-133487-A published 10 May 2002 ("487 publication"). The coin box for a snack dispenser disclosed by Mueller comprises an upper portion containing an internal control circuitry (see Figure 8 and column 6, lines 69-74); the upper portion being capable of accepting at least one coin inserted into the coin box (see Figures 1 and 2 and column 6, lines 58-66), the internal controller being capable of identifying the monetary value of the coin and activating plunger 120 to operate arm 92 of a door control mechanism (see Figures 5 and 6 and column 4, lines 29-46) when the monetary value of the at least one coin equals the monetary value of the product (see column 7, lines 5-11). Mueller further discloses said arm unlocking door 56 to allow a customer to obtain a product from vending compartment 206 (see Figure 2), and lower portion 304 of coin box for accepting and storing the at least one coin.

Mueller fails to disclose circuitry that identifies the monetary value of a coin by the geometry of the coin. The '487 publication teaches a coin evaluator comprising circuitry 11 being capable of identifying the monetary value of coin C by the geometry of the coin (see Figure 1) for the purpose of identifying said coin. Said coin evaluator further comprises coin track 50/51 and set of light pipes 4 for measuring the outside diameter of said coin and correlating a unique monetary value to the outside value of said coin and capable of transmitting and reflecting at least one infrared beam. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the circuitry configuration of the '487 publication into the coin box of Mueller for the purpose of identifying coins being accepted by the dispenser.

Claims 7-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mueller in view of said '487 publication as applied to claim 6 above, and further in view of Patent Number US 6,279,718 B1 by Nulph et al ("Nulph"). Mueller/'487 publication fails to disclose a character data entry device or a total value display. Nulph teaches a dispensing apparatus comprising alphanumeric keypad 36 and display 38 capable of displaying total monetary value of coins inserted into the apparatus (see Figure 1 and column 4, lines 4-23) for the purpose of providing a customer with user interfaces to operate the apparatus. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the keypad and the display of Nulph into the dispensing apparatus of Mueller/'487 publication for the purpose of providing a customer with user interfaces to operate the apparatus.

Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mueller in view of said '487 publication in view of Nulph as applied to claim 9 above, and further in view of Patent Number US 6,658,323 B2 by Tedesco et al ("Tedesco"). Mueller/'487 publication/Nulph fails to disclose a means of entering a personal identification number (PIN). Tedesco teaches a dispensing apparatus comprising a control circuit that is activated after a customer has entered a PIN through data entry device 110 (see Figure 1 and column 7, lines 65-67) for the purpose of restricting use of the dispensing apparatus to a particular customer. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the PIN accepting data entry device of Tedesco into the dispensing device of Mueller/'487 publication/Nulph for the purpose of restricting use of the dispensing apparatus to a particular customer.

Tedesco further teaches internal control circuitry 175 that is capable of downloading information related to currency stored in currency box 140 into a separate remote storage device that is an infrared communication device (see Figure 2 and column 8, lines 2-18) for the purpose of maintaining an audit currency processed by said apparatus. Tedesco further discloses modifying information used by said circuitry by using said infrared communication device. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the circuitry of Tedesco into the dispensing device of Mueller/'487 publication/Nulph for the purpose of maintaining an audit of currency processed by said apparatus.

Claims 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mueller in view of said '487 publication in view of Nulph in view of Tedesco as applied to claim 10 above, and further in view of Patent Number 5,082,099 by Abe ("Abe") and of Patent Number 3,771,637 by Lautzenhiser ("Lautzenhiser"). Mueller/'487 publication/Nulph/Tedesco fails to disclose a curved coin track that has a floor that in angled downward perpendicular to the direction of travel of the coin, and includes an initial generally upward portion located before a generally downwardly inclined portion.

Abe teaches a coin processing apparatus comprising coin track 15 (see Figures 7 and 8) including a downwardly angled floor 30 (see Figures 12 and 13) for the purpose of perpendicularly biasing a coins traveling along said track. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the incorporate the angled floor of Abe into the coin track of Mueller/'487 publication/Nulph/Tedesco for the purpose of perpendicularly biasing coins traveling along said track.

Lautzenhiser teaches a coin processing apparatus comprising curved track 54 (see Figure 6) for the purpose of directing coins traveling within said apparatus along a particular path. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the curved track of Lautzenhiser into the coin processing apparatus of Mueller/'487 publication/Nulph/Tedesco for the purpose of directing coins traveling within said apparatus along a particular path.

Lautzenhiser further teaches track 76 (see Figure 8) comprising track floor 74 including an initially upward portion located before a downwardly inclined portion for the

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purpose of regulating the speed of coins traveling along said track. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the track floor of Lautzenhiser into the coin track of Mueller/'487 publication/Nulph/Tedesco for the purpose of regulating the speed of coins traveling along said track.

Claims 13-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mueller/'487 publication/Nulph/Tedesco/Abe/Lautzenhiser as applied to claim 12 above, and further in view of Patent Number 4,883,158 by Kobayashi et al ("Kobayashi"). Mueller/'487 publication/Nulph/Tedesco/Abe/Lautzenhiser fails to disclose control circuitry capable of storing coin box information. Kobayashi teaches a coin processing apparatus comprising control circuitry 11b which stores coin box 16 total monetary value information (see Figures 2 and 5 and column 6, line 57-68 and column 7, lines 17-28) for the purpose of maintaining an accounting of coins processed by said apparatus. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the circuitry of Kobayashi into the apparatus of Mueller/'487 publication/Nulph/Tedesco/Abe/Lautzenhiser for the purpose of maintaining an accounting of coins processed by said apparatus.

Claims 18 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mueller in view of Kobayashi in view of Tedesco. The snack dispenser 10 disclosed by Mueller is operated by installing coin box 304 having internal circuitry (see

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Figure 8 and column 6, lines 69-74) into said snack dispenser (see Figures 1-3), providing said circuitry with the capability of operating door control mechanism 92/120 (see Figures 5 and 6 and column 4, lines 29-46), and controlling said door control mechanism based on the monetary value of at least one coin inserted into the coin box.

Mueller fails to disclose the operation of storing coin box information. Kobayashi teaches a coin processing apparatus comprising control circuitry 11b which stores coin box 16 information (see Figures 2 and 5 and column 6, line 57-68 and column 7, lines 17-28) for the purpose of maintaining an accounting of coins processed by said apparatus. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the circuitry of Kobayashi into the apparatus of Mueller for the purpose of maintaining an accounting of coins processed by said apparatus.

Mueller fails to disclose the operation of uploading and downloading coin box information. Tedesco teaches a snack dispenser comprising internal control circuitry 175 that is capable of uploading and downloading coin box 140 information using separate remote electronic communication device (see Figure 2 and column 8, lines 2-18) for the purpose of maintaining an audit of currency processed by said device. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the circuitry configuration of Tedesco into the snack dispenser of Mueller for the purpose of maintaining an audit of currency processed by said device.

Mueller fails to disclose the operation of providing a PIN activated data entry device and related control circuitry. Tedesco teaches the operations of providing PIN



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activated data entry device 110 and related control circuitry (see Figure 1 and column 7, lines 65-67) for the purpose of restricting use of the snack dispenser to a particular customer. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the PIN activated data entry device and related control circuitry of Tedesco into the snack dispenser of Mueller for the purpose of restricting use of the snack dispenser to a particular customer.

Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mueller in view of Tedesco in view of Nulph. The snack dispenser coin box disclosed by Mueller comprises means for accepting at least one coin 303 and door control mechanism 92/120. Mueller fails to disclose means for accepting/entering a PIN. Tedesco teaches a snack dispenser comprising PIN accepting/entering means 110 for the purpose of restricting use of said dispenser to a particular customer. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the PIN accepting/entering means of Tedesco into the snack dispenser of Mueller for the purpose of restricting the use of said dispenser to a particular customer.

Mueller fails to disclose monetary value display means. Nulph teaches a snack dispenser comprising display means 38 capable of displaying total monetary value of coins inserted into the apparatus (see Figure 1 and column 4, lines 4-23) for the purpose of providing a customer with a user interface to operate the dispenser. It would have been obvious to one of ordinary skill in the art at the time the invention was made

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to incorporate the display means of Nulph into the snack dispenser of Mueller for the purpose of providing a customer with a user interface to operate the dispenser.

### ***Response to Arguments***

Applicant's arguments with respect to claims 1, 3, 4, 6-18, 20 and 21 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark J. Beauchaine whose telephone number is (571)272-6934. The examiner can normally be reached on 8:00AM through 5:00PM Mondays through Thursdays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick H. Mackey can be reached on (571)272-6916. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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